

Cause No. MBO136632 H

THE STATE OF TEXAS

IN THE COUNTY CRIMINAL

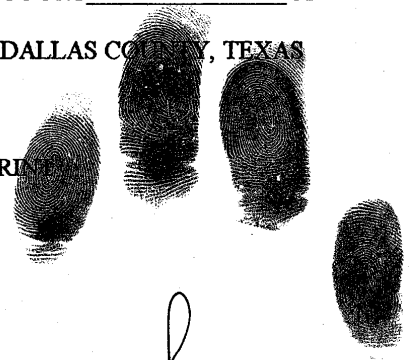
VS.

COURT # 17 OF

Escamilla Jose

DALLAS COUNTY, TEXAS

CERTIFICATE OF THUMB PRINT



Right Thumb\*

Defendant's R hand

This is to certify that the fingerprints above are the above-named Defendant's fingerprints taken at the time of the disposition of the above styled and numbered cause.

Did in Court this 31st day of July, 2007

[Signature]  
Bailiff/Deputy Sheriff

\*Indicate here if print other than defendant's right thumb print is placed above:

\_\_\_\_\_ left thumb print

\_\_\_\_\_ Other, please specify:

\_\_\_\_\_ left/right index finger

Revised 5/99  
FORM NO. M-130

TRUE AND CORRECT  
COPY OF ORIGINAL  
FILED IN DALLAS  
COUNTY CLERK'S OFFICE



CASE NO. M01-36632-H

STATE OF TEXAS

&

IN COUNTY CRIMINAL

&

COURT # 7

vs.

&

DALLAS COUNTY, TEXAS

Jose Alfonso Escamilla, Jr.  
D.O.B. 09/03/78  
Hispanic/Male

Thomas R. Benson  
Surety

DALLAS SHERIFF'S DEPT.  
BOND SECTION  
01 JUL 2008 PM 2:05

MOTION AND AFFIDAVIT OF SURETY FOR DISCHARGE OF LIABILITY AND SURRENDER  
OF PRINCIPAL BEFORE FORFEITURE

To The Honorable Judge of Said Court:

Now Comes Tom Benson dba Act Quick Bail Bonds, Surety in the above styled and numbered cause and pursuant to Art. 17.16, Code of Criminal Procedure, files this Motion and Affidavit of Surety For Discharge of Liability and Surrender of Principal Before Forfeiture, and upon oath, and in support thereof would show the following:

I.

Jose Alfonso Escamilla, Jr., Defendant has been charged with the offense of Evade Arrest Case No. M01-36632-H. Said cause is currently pending in the Court of Dallas County, Texas

II.

Tom Benson dba Act Quick Bail Bonds, Surety posted the Defendant's bail bond on this charge, in the amount of \$500.00 on May 31, 2001. Said bond is not subject to forfeiture and no forfeiture proceeding is pending or threatened.

III.

Defendant is currently incarcerated in:

- ☐ Federal custody, to-wit: \_\_\_\_\_  
☐ Custody of the State of \_\_\_\_\_, to-wit \_\_\_\_\_  
☒ Custody of Dallas County, Texas.  
Defendant is incarcerated on a charge of : P/V Poss. C/S Serving Time Till 01/15/02  
Book-in # 01048550 Contact to verify custody: L.S. Jail (214) 761-9026



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COUNTY CLERK'S OFFICE

ORDER OF DISCHARGE OF SURETY

Tom Benson dba Act Quick Bail Bonds, Surety on the bail bond of the above named Defendant is hereby discharged and absolved of liability in this matter, pursuant to Art 17.16, Code of Criminal Procedure. The Clerk of this Court is directed to prepare and issue a capias for the arrest of the Defendant.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Magistrate, Dallas County, Texas



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COUNTY CLERK'S OFFICE

CASE NO. M 0136032

STATE OF TEXAS

S  
S  
S  
S  
S

IN THE COUNTY CRIMINAL

COURT NO. 7 OF

DALLAS COUNTY, TEXAS

## STATE'S SENTENCE RECOMMENDATION

TO THE HONORABLE JUDGE OF SAID COURT

NOW COMES THE STATE OF TEXAS, by and through Dallas County Criminal District Attorney Bill Hill, in the above styled and numbered cause on this the 15<sup>th</sup> day of July, 2001, and makes this recommendation of punishment conditioned on the Defendant having no criminal record or pending cases other than those listed below. This is not an announcement of readiness for trial.

Audrey Garnett  
AUDREY GARNETT  
ASSISTANT DISTRICT ATTORNEY  
TEXAS BAR NO. 24014285

Waive  
RECOMMENDATION

90 days no probation

<input type="checkbox"/> Stay away No contact with	<input type="checkbox"/> Psychological Evaluation	<input type="checkbox"/> Urinalysis testing
<input type="checkbox"/> No Sex Acts	<input type="checkbox"/> Anger Counseling	<input type="checkbox"/> Register as a sex offender
<input type="checkbox"/> M.P.	<input type="checkbox"/> Judge's Conditions	<input type="checkbox"/> Sex offender class
<input type="checkbox"/> ADR CASES	<input type="checkbox"/> Forfeit Weapon	<input type="checkbox"/> Proper License
<input type="checkbox"/> Interlock	<input type="checkbox"/> GED/High School Diploma	<input type="checkbox"/> Anti-theft program
<input type="checkbox"/> Days as a condition	<input type="checkbox"/> Valid Insurance	<input type="checkbox"/> Family Violence Counseling
<input type="checkbox"/> Clearance Letter	<input type="checkbox"/> Drug Evaluation	<input type="checkbox"/> Affirmative FV finding
<input type="checkbox"/> Repeat Offender	<input type="checkbox"/> Waive Right to Appeal	<input type="checkbox"/> RESTITUTION OF \$

## PRIOR RECORD AND PENDING CASES

F-46-52623 Shift 1500 PGBC  
F-97-55456 Poss Poss Weap DISM  
F-00-20647 Poss CS Int Del PGJG

Implied by 3 months from above date.

As a condition of this plea bargain, the Defendant will submit to fingerprinting by the Clerk of the Court.



TRUE AND CORRECT  
COPY OF ORIGINAL  
FILED IN DALLAS  
COUNTY CLERK'S OFFICE

COUNTY CRIMINAL COURT 7

133 North Industrial

Dallas, Texas 75207

(214) 653-\_\_\_\_\_

TODAY'S DATE 7/15/01

STATE OF TEXAS VS.

Jose Escamilla  
DefendantCAUSE NO. M 01-36632

TO THE HONORABLE JUDGE OF SAID COURT:

On the above date, the captioned cause being set on the docket of this Court, comes now the undersigned counsel for Defendant and requests a continuance of this cause to the following date for the following purpose:

RESET DATE: 8/8/01 TIME: 9:00 a.m.☒ Announcement (Defense has received a recommendation from the State)☐ Announcement (State contact Complaining Witness/Investigate Restitution) DA initial \_\_\_\_\_☐ Announcement: \_\_\_\_\_ need to file SR-22 \_\_\_\_\_ filed and awaiting clearance letter☐ Plea of Guilty (Agreed)☐ Plea of Guilty / Open to Punishment with witnesses? \_\_\_\_\_ yes \_\_\_\_\_ no☐ Revocation Hearing (Agreed) Signature of Court PO \_\_\_\_\_☐ Probation Violations Signature of Court PO \_\_\_\_\_☐ Contested Revocation Hearing Signature of Court PO \_\_\_\_\_☐ Jury Trial

*Handwritten notes:*  
- 10-11-L  
- Counsel for Defendant or Probation Officer  
- C.M. BarBane  
- Please print name of Counsel  
- Defendant in court  
- Phone (214) 324-4417  
- Bar # 01697475

\_\_\_\_\_  
DA initial \_\_\_\_\_no. \_\_\_\_\_  
be present)Recommendation by State or  
Probation Officer:☐ DEFENDANT TO  
HIRE ATTORNEYDefendant  
IN CUSTODY  
Defendant

Counsel for Defendant or Probation Officer

C.M. BarBane

Please print name of Counsel

☒ Defendant in courtPhone (214) 324-4417Bar # 01697475

Form 520

Revised 1/97

Defendant's Request for Action

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COUNTY CLERK'S OFFICE

M 80136632 H

Cause No. M01-62752

State of Texas	&	In County Criminal
vs.	&	Court #
Jose Alfonso Escamilla, Jr. D.O.B. 09/03/78 Hispanic/Male	&	Dallas County, Texas
<u>Tom Benson</u> Surety		

712

**MOTION AND AFFIDAVIT OF SURETY FOR DISCHARGE OF LIABILITY AND SURRENDER OF PRINCIPAL BEFORE FORFEITURE**

To The Honorable Judge of Said Court:

Now Comes Tom Benson dba Act Quick Bail Bonds, Surety in the above styled and numbered cause and pursuant to Art. 17.16, Code of Criminal Procedure, files this Motion and Affidavit of Surety For Discharge of Liability and Surrender of Principal Before Forfeiture, and upon oath and in support thereof would show the following:

DALLAS SHERIFF'S DEPT.  
BOND SECTION  
01/05/08 PM 3:19

I.

Jose Alfonso Escamilla, Jr., Defendant has been charged with the offense of Evade Arrest Said Cause No. M01-62752. is currently pending in the Court of Dallas County, Texas.

II.

Tom Benson dba Act Quick Bail Bonds, Surety posted the Defendant's bail bond on this charge, in the amount of \$500.00 on May 31, 2001. Said bond is not subject to forfeiture and no forfeiture proceeding is pending or threatened.

III.

Defendant is currently incarcerated in:

- ( ) Federal custody, to-wit: \_\_\_\_\_  
 ( ) Custody of the State of \_\_\_\_\_, to-wit \_\_\_\_\_  
 (X) Custody of Dallas County, Texas.  
 Defendant is incarcerated on a charge of P/V Poss. C/S w/int. Deliver Book-In-No.01048550  
 Contact to verify custody: L.S. Jail (214) 761-9026



TRUE AND CORRECT  
COPY OF ORIGINAL  
FILED IN DALLAS  
COUNTY CLERK'S OFFICE

IV.

Surety hereby requests the Sheriff of Dallas County, Texas to verify the incarceration of the Defendant.

V.

Upon verification of incarceration of the Defendant by the Sheriff of Dallas County, Texas, Surety hereby requests that the bond described herein be discharged and Surety be absolved of further liability on said bond.

RESPECTFULLY SUBMITTED

Tom Benson  
Surety, Tom Benson dba  
Act Quick Bail Bonds  
515 S. Industrial Blvd.  
Dallas, Texas 75207  
214/744-1414

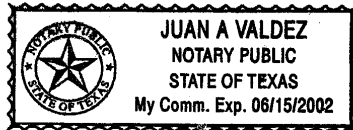
VERIFICATION OF SURETY

State of Texas  
County of Dallas

Before me the undersigned Notary Public on this day personally appeared Tom Benson, Surety, known to me to be the person whose name is subscribed to the forgoing Motion and Affidavit and upon his oath, stated that the information contained therein is true and correct.

Given under my hand and seal of office this 22nd day of June, 2001.

MY COMMISSION EXPIRES:



Juan A. Valdez  
Notary Public - State of Texas  
Printed Name of Notary

VERIFICATION OF INCARCERATION

The undersigned Deputy Sheriff, Dallas County, Texas, hereby verifies that Escamilla A. Lopez Jr. Defendant is in the Custody of PSO on a charge of PV Poss CS Lt. as of 3:25 P.m., on the 22 day of June, 2001.

By: D. Daniels  
Dallas County Sheriff's Department  
Badge No.: \_\_\_\_\_



TRUE AND CORRECT  
COPY OF ORIGINAL  
FILED IN DALLAS  
COUNTY CLERK'S OFFICE

**WARRANT OF ARREST  
DALLAS COUNTY, TEXAS**

☐ FELONY ☒ MISDEMEANOR


BOND AMOUNT: \$ \_\_\_\_\_

COURT NO.: IRVING MUNICIPAL COURT WARRANT NO.: MD1-3632-0  
The State of Texas vs.: **ESCAMILLA, JOSE ALFONSO**  
Arrest Status: **IRVING CITY JAIL (OUT ON BOND)**  
Race: **WHITE** Sex: **MALE** DOB: **9-3-78** Ht: **5'7"** Wt: **155** Hair: **BLACK** Eyes: **BROWN**  
Social Security Number: **487-75-9684**  
Res. Add.: **4045 WEISERDERGER, DALLAS, TEXAS 75212**  
Complainant: **OFFICER T. HURLEY #236**  
Date of Offense: **5-30-01** Date Complaint Filed: \_\_\_\_\_  
Warrant of Arrest Issued To: **IRVING POLICE DEPARTMENT**

IN THE NAME OF THE STATE OF TEXAS TO ANY SHERIFF OR OTHER PEACE OFFICER  
OF THE STATE OF TEXAS -- GREETINGS:

YOU ARE HEREBY COMMANDED to take instanter the body of: **JOSE ALFONSO ESCAMILLA** hereinafter called the accused, and HIM safely keep so that HE may be dealt with according to law, and to hold accused to answer to the State of Texas for an offense against the laws of the said State, namely: **EVADING ARREST/DETENTION PC 38.04** of which **MISDEMEANOR** offense HE is accused by written complaint, made under oath that has been presented to me and that is by this reference incorporated herein for all purposes.

WITNESS MY SIGNATURE THIS 12 DAY OF June, 2001

  
MAGISTRATE  
Municipal Court  
City of Irving, Texas



\*\*\*\*\*  
**FEES**

ARREST.....\$  
COMMITMENT.....\$  
RELEASE.....\$  
APPROVE BOND.....\$  
MILEAGE.....\$  
OTHER.....\$  
TOTAL.....\$

**RETURN**

CAME TO HAND THE \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2001, and executed the  
\_\_\_\_\_ day of \_\_\_\_\_, A.D. 2001, by arresting and detaining above named and accused  
and \_\_\_\_\_

BY: \_\_\_\_\_



TRUE AND CORRECT  
COPY OF ORIGINAL  
FILED IN DALLAS  
COUNTY CLERK'S OFFICE



IV.

Surety hereby requests the Sheriff of Dallas County, Texas to verify the incarceration of the Defendant.

V.

Upon verification of incarceration of the Defendant by the Sheriff of Dallas County, Texas, Surety hereby requests that the bond described herein be discharged and Surety be absolved of further liability on said bond.

RESPECTFULLY SUBMITTED

Surety, Tom Benson dba  
Act Quick Bail Bonds  
515 S. Industrial Blvd.  
Dallas, Texas 75207  
214/744-1414

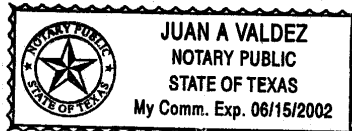
VERIFICATION OF SURETY

State of Texas  
County of Dallas

Before me the undersigned Notary Public on this day personally appeared Tom Benson, Surety, known to me to be the person whose name is subscribed to the forgoing Motion and Affidavit and upon his oath, stated that the information contained therein is true and correct.

Given under my hand and seal of office this 24th day of July, 2001.

MY COMMISSION EXPIRES:



\_\_\_\_\_  
Notary Public - State of Texas  
Juan A. Valdez  
\_\_\_\_\_  
Printed Name of Notary Public

VERIFICATION OF INCARCERATION

The undersigned Deputy Sheriff, Dallas County, Texas, hereby verifies that Jose A. Escamilla  
Defendant is in the Custody of DS on a charge of 214/1055 CS as of  
2:40 p.m., on the 24 day of July, 2001.

By Dallas County Sheriff's Department  
Badge No. \_\_\_\_\_



TRUE AND CORRECT  
COPY OF ORIGINAL  
FILED IN DALLAS  
COUNTY CLERK'S OFFICE

DEFENDANT	LUG ESCANTILLA, JOSE ALFONSO UM 09031978		CHARGE	EVASION ARREST/DET
ADDRESS	AKA- 4045 WEISERDERGER, DALLAS, TX		LOCATION	BOND
FILING AGENCY	TX0571500	DATE FILED	6/18/01	COURT H7
COMPLAINANT	HURLEY, T		MB0136632 H	
C/C				
SERVICE NO.	015882	ARREST NO.	262752	I.D. NO. 138696

## INFORMATION

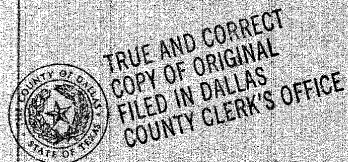
In the Name and by the Authority of the State of Texas.

NOW COMES THE CRIMINAL DISTRICT ATTORNEY of Dallas County, State of Texas, and presents in and to the  
County Criminal Court H7 of Dallas County, State aforesaid; that one  
ESCANTILLA, JOSE ALFONSO

hereinafter styled Defendant, heretofore, on or about the 30TH day of MAY A.D., 20 01

in the County of Dallas and State of Texas, did unlawfully

*unlawfully, then and there intentionally flee from T. HURLEY, hereinafter called complainant, while complainant was lawfully attempting to arrest and detain the defendant, and the said defendant knew the said complainant was a peace officer attempting to arrest and detain the said defendant,*



Against the peace and dignity of the state.

*Bill Hily*  
Criminal District Attorney of Dallas County, Texas



DEFENDANT	LUG ESCAMILLA, JOSE ALFONSO WM 09031978 AKA:		CHARGE	EVASION ARREST/DET
ADDRESS	4045 WEISERGER, DALLAS, TX		LOCATION	BOND
FILING AGENCY	TX0571500	DATE FILED	6/18/01	COURT H-7
COMPLAINANT	HURLEY, T		MR0136632 H	
C/C				
SERVICE NO.	015882	ARREST NO.	262752	I.D. NO. 138696

## AFFIDAVIT

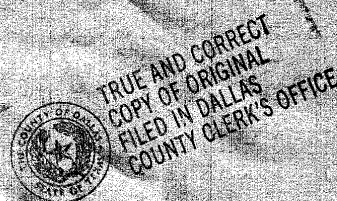
In the Name and by the Authority of the State of Texas.

PERSONALLY APPEARED before me the undersigned authority this affiant, who after being by me duly sworn,  
deposes and says your Affiant has good reason to believe and does believe that one  
ESCAMILLA, JOSE ALFONSO

hereinafter styled Defendant, heretofore, on or about the 30TH day of MAY, A.D., 20 01

in the County of Dallas and State of Texas, did unlawfully

*unlawfully, then and there intentionally flee from T. HURLEY, hereinafter called complainant, while complainant was lawfully attempting to arrest and detain the defendant, and the said defendant knew the said complainant was a peace officer attempting to arrest and detain the said defendant.*



Against the peace and dignity of the state.

Sworn to and subscribed before me this the

19 day of June, A.D., 20 01

[Signature]  
Assistant Criminal District Attorney of  
Dallas County, Texas

[Signature]  
Affiant.

THE STATE OF TEXAS }

COUNTY OF DALLAS }

**AFFIDAVIT FOR ARREST WARRANT OR CAPIAS**

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant who, after being duly sworn by me, on oath stated:

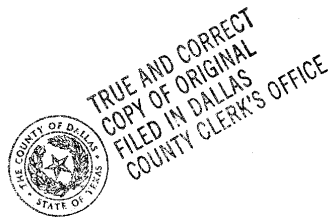
My name is **J. CULLISON #742**, and I am a peace officer of the City of Irving, Dallas County, Texas.

I have good reason to believe and do believe that on or about the **30TH** day of **MAY**, 2001, one **ESCAMILLA, JOSE ALFONSO** did then and there in the City of Irving, Dallas County, Texas commit the offense of **EVADING ARREST/DETENTION**, a violation of Section **38.04**, Texas Penal Code, a **MISDEMEANOR**.

My belief is based upon the following facts and information:

**T. HURLEY #236**, Officer, Irving Police Department, who participated in the investigation of the alleged offense, furnished to me, the Affiant, on **6-8-01**, the following information:

1. Defendant had been reported to arresting officer as operator of vehicle that had been involved in a hit-and-run accident.
2. Defendant fled scene in a van.
3. As an officer stopped defendant, he and the passenger switched places in the vehicle.



I believe this information furnished by a fellow Peace Officer is credible.

WHEREFORE, Affiant requests that an arrest warrant or capias be issued for the above accused individual(s) in accordance with the law.

**AFFIANT**

SWORN TO BEFORE ME on the 12 day of June, 2001.

MAGISTRATE, IN AND FOR  
DALLAS COUNTY, TEXAS



On this the 12 day of Jan, 2001, the undersigned Magistrate hereby acknowledges that he has examined the above affidavit and has determined that probable cause exists for the issuance of a capias for the individual(s) accused therein and hereby orders the Clerk of the Court of proper jurisdiction to issue a capias for the arrest of said individual(s).

MAGISTRATE, IN AND FOR  
DALLAS COUNTY, TEXAS





**GARY FITZSIMMONS  
DALLAS COUNTY DISTRICT CLERK**

## **FELONY RECORD SEARCH CERTIFICATE**

**THE STATE OF TEXAS  
COUNTY OF DALLAS**


I, GARY FITZSIMMONS, CLERK OF THE DISTRICT COURTS OF DALLAS COUNTY, TEXAS,  
DO HEREBY CERTIFY THAT A SEARCH OF THE INDEXES FROM 1973 THROUGH THE  
PRESENT DATE REFLECTS THE FOLLOWING:

ESCAMILLA ELIEZAR	WM	050673	F-9746550	FL	AA/DW	NFOG
ESCAMILLA ELIEZAR	WM	050673	F-0454866	FL	ASSAULT	MISC
ESCAMILLA ELIEZAR	WM	050673	F-0454867	FL	ASSAULT	MISC
ESCAMILLA ELIEZAR	A WM	050673	F-9746730	FL	MURDER	PGJG

THE UNDERSIGNED DOES NOT ASSUME ANY LIABILITY FOR OMISSION OR ERROR IN  
THE ABOVE STATEMENT.

GIVEN UNDER MY HAND AND SEAL OF SAID COURT, IN DALLAS, TEXAS, THIS  
THE 20<sup>TH</sup> DAY OF DECEMBER, 2007

**GARY FITZSIMMONS, DISTRICT CLERK  
DALLAS COUNTY, TEXAS**

BY:   
DEPUTY

NOTICE OF DISPOSITION  
IN CRIMINAL DISTRICT COURT 5  
DALLAS COUNTY, TEXAS

SEQ 0004

CASE NUMBER F-9746550  
OFFENSE AA/DW  
REDUCED CHARGE

DATE 080107  
TIME 121438

THE STATE OF TEXAS VS.  
DEF ESCAMILLA ELIEZAR  
BNO 04057536  
DISPOSED BY DISM

RACE W SEX M DOB 050673

SENTENCE

APPEAL

SPECIAL CONDITION

MNT

\$ 0.00 FINE \$ 0.00 COST  
ADDITIONAL CREDIT FOR TIME SERVED

SENTENCE TO BEGIN

REMARKS 8-1-07 DEFT NOT IN JAIL.  
\* JUDGMENT SET ASIDE \* RETURN ALL WRNTS THIS CASE ONLY

GARY FITZSIMMONS  
DISTRICT CLERK  
DALLAS COUNTY, TEXAS  
BY SAM S  
DEPUTY CLERK

RELEASE INFORMATION  
REMARKS \* THIS CASE ONLY \*

CAUSE NO. F97-46550-1

463/60

THE STATE OF TEXAS )  
VS. )  
ELIEZAR ESCAMILLA )  
CRIMINAL DISTRICT COURT NO. 5  
DALLAS COUNTY, TEXAS

**ORDER DISMISSING PROCEEDINGS AND  
GRANTING DISCHARGE FROM COMMUNITY SUPERVISION  
FOLLOWING DEFERRED ADJUDICATION**

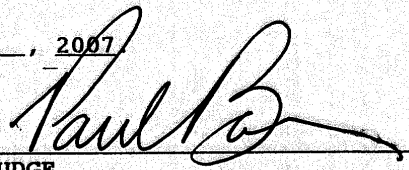
This day came on to be considered the matter of the release from community supervision of the defendant in the above styled and numbered cause, and the dismissal of the proceedings against the defendant. It appearing to the Court that the adjudication of guilt was deferred and the defendant was placed on community supervision on the 1st day of August, 1997, for the felony offense of

**AGGRAVATED ASSAULT WITH A DEADLY WEAPON**

and it is further appearing to the Court that the period of community supervision has expired and the Court has not proceeded to an adjudication of guilt in this cause;

IT IS THEREFORE ORDERED that the period of supervision herein is terminated, the defendant is discharged from community supervision, and all proceedings in this cause against the defendant, including the indictment or information, are hereby dismissed.

SIGNED this 1st day of August, 2007.



JUDGE  
CRIMINAL DISTRICT COURT NO. 5  
DALLAS COUNTY, TEXAS

**ML# C-222815**



1A

NOTICE OF DISPOSITION  
IN CRIMINAL DISTRICT COURT 5  
DALLAS COUNTY, TEXAS

SEQ 0013

CASE NUMBER F-9746550  
OFFENSE AA/DW  
REDUCED CHARGE

DATE 010605  
TIME 121923

THE STATE OF TEXAS VS.  
DEF ESCAMILLA ELIEZAR  
BNO 04057536  
DISPOSED BY

RACE W SEX M DOB 050673

## SENTENCE

10 YRS TO TDC PROBATED

APPEAL

SPECIAL CONDITION

MNT

\$ 300.00 FINE \$ 126.50 COST  
ADDITIONAL CREDIT FOR TIME SERVED

SENTENCE TO BEGIN 000000

REMARKS 010605 DEFT IN JAIL P/V MOTION WITHDRAWN CAPIAS RECALLED DEFENDANT  
CONTINUED ON PROBATION\*\*\*\*\*RETURN ANY AND ALL WARRANTS ON THIS CASE  
ONLY

JIM HAMLIN  
DISTRICT CLERK  
DALLAS COUNTY, TEXAS

RELEASE INFORMATION  
REMARKS THIS CASE ONLY

BY PRATER S  
DEPUTY CLERK

NO. F97-46550-L

THE STATE OF TEXAS

IN THE CRIMINAL DISTRICT COURT

VS.

NO. 5 OF DALLAS COUNTY, TEXAS

Eliezar Escamilla

January TERM, A.D. 2005

STATE'S MOTION TO WITHDRAW ITS MOTION TO ADJUD-  
CATION OF GUILT/MOTION TO REVOKE PROBATION

TO THE HONORABLE JUDGE OF SAID COURT:

Now Comes, BILL HILL, Criminal District Attorney of Dallas County, Texas, by and through his Assistant District Attorney of Dallas County, Texas, in the above entitled and numbered cause and respectfully requests the Court to allow the State to withdraw its Motion to Revoke Probation filed herein.

This the 16th day of January, 2005

BILL HILL,  
CRIMINAL DISTRICT ATTORNEY  
DALLAS COUNTY, TEXAS

By: [Signature]  
Assistant District Attorney  
Dallas County, Texas

O R D E R

State's Motion to Withdraw Motion to Revoke Probation/Motion to Proceed is granted and the Defendant is continued on probation and / subject to the terms and conditions of the probation heretofore imposed/  
~~not released from custody and held for~~ \_\_\_\_\_/  
~~released from custody /not in custody/~~

and

missed dis'm'd. EA

[Signature]  
JUDGE

CRIMINAL DISTRICT COURT  
NO. 5 OF DALLAS COUNTY, TEXAS

THE STATE OF TEXAS

CRIMINAL DISTRICT COURT NO. 5

VS.

DALLAS COUNTY, TEXAS

ELIEZAR ESCAMILLA

JULY TERM 2004

MOTION TO PROCEED WITH AN ADJUDICATION OF GUILT

COMES NOW the State of Texas by and through her Criminal District Attorney and would show the Court the following:

That ELIEZAR ESCAMILLA, Defendant was duly and legally placed on probation for a period of 10 years in the above entitled and numbered cause in Criminal District Court No. 5 of Dallas County, Texas, on the 1st day of August, A.D. 1997 for the offense of:

AGGRAVATED ASSAULT WITH A DEADLY WEAPON

That the Defendant has violated the following conditions  
a of said probation in that

PLEASE SEE ATTACHED PAGE 2.

This violation-offense occurred after August 1, 1997, and during the term of probation.

WHEREFORE, the State prays that said Defendant be cited to appear before this Honorable Court and show cause why the Court should not proceed with an adjudication of guilt on the original charge,

This the 10th day of September, A.D. 2004.

\*\*\*\*\*  
\* F I L E D \*  
\* September 10, 2004 \*  
\* \*  
\* JIM HAMLIN \*  
\* DISTRICT CLERK \*  
\* DALLAS CO, TEXAS \*  
\* md \*  
\* DEPUTY \*  
\*\*\*\*\*

BILL HILL  
District Attorney  
Dallas County, Texas

BY: Marcia C. Taylor  
Assistant District Attorney

A copy of this motion was delivered to the Defendant on the 17th day of Sept., A.D. 2004.

Emily Adelstein  
Probation Officer

I received a copy of this motion on the 17th day of September A.D. 2004.

x Eliezar Escamilla  
Defendant

ML# C-222815

RE: ELIEZAR ESCAMILLA  
NO: F97-46550-L

- (1) ELIEZAR ESCAMILLA did violate condition (a) by violating the laws of the State of Texas in that on or about August 8, 2004 in Dallas County, Texas he did intentionally and knowingly cause bodily injury to PAMELA ESCAMILLA, a child 14 years of age or younger, hereinafter called complainant, by grabbing and by twisting complainant with defendant's hand,

And it is further presented to said Court that prior to the commission of the aforesaid offense, the said defendant was convicted of a felony offense of MANSLAUGHTER, on the 1st day of August, 1997, A.D., in Cause Number F97-46730-L on the docket of CRIMINAL DISTRICT COURT NO. 5, of DALLAS County, Texas under the name of ELIEZAR ESCAMILLA and said conviction was a final conviction.

- (2) ELIEZAR ESCAMILLA did violate condition (a) by violating the laws of the State of Texas in that on or about August 8, 2004 in Dallas County, Texas he did intentionally and knowingly cause bodily injury to VALERIE ESCAMILLA, a child 14 years of age or younger, hereinafter called complainant, by striking complainant with defendant's hand,

And it is further presented to said Court that prior to the commission of the aforesaid offense, the said defendant was convicted of a felony offense of MANSLAUGHTER, on the 1ST day of AUGUST, 1997, A.D., in Cause Number F97-46730-L on the docket of CRIMINAL DISTRICT COURT NO. 5, of DALLAS County, Texas under the name of ELIEZAR ESCAMILLA and said conviction was a final conviction.

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\* F I L E D \*  
\* September 10, 2004 \*  
\* \*  
\* JIM HAMLIN \*  
\* DISTRICT CLERK \*  
\* DALLAS CO. TEXAS \*  
\* MD \*  
\* DEPUTY \*  
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